

PIKE COUNTY PROJECT DEVELOPMENT BOARD

REGULAR MEETING MINUTES

**Pike County Courthouse
Pikeville, Kentucky**

October 4, 2007 at 5:00 p.m.

PRESIDING OFFICER: Vice-Chair Judge Eddy Coleman

MEMBERS OF THE BOARD PRESENT:

**Magistrate Jeff Anderson
City Manager/AOC Representative Donovan Blackburn
Circuit Court Clerk David Deskins
AOC Project Manager Jeff Lilly
District Judge Darrell Mullins
State Bar Association Representative Neal Smith**

OTHERS PRESENT:

**Bobby Branham, Executive Assistant to Judge/Executive
Rose Farley, Recorder
Jeanne Robinson, Executive Assistant to Judge/Executive**

MEMBERS OF THE BOARD ABSENT:

**Chair Wayne T. Rutherford/Judge/Executive
Citizen at Large Hon. Charles E. Lowe, Jr.**

Judge Eddy Coleman, Vice-Chair of the Pike County Project Development Board, presided in the absence of Chair Wayne T. Rutherford/Judge/Executive over a regularly scheduled meeting of the Board on October 4, 2007, at 5:00 p.m., in the Pike County Fiscal Courtroom, Pike County Courthouse, 146 Main Street, Pikeville, Kentucky. The Pledge of Allegiance was given by those present.

Judge Coleman called for approval of the September 6 minutes. **Upon motion by Judge Darrell Mullins and second by Neal Smith, the Board unanimously APPROVES the board meeting minutes for September 6, 2007.**

Discussion of properties began. Mr. Jeff Gregory, representing the Sherman & Carter architectural firm, stated that one of the most important criteria for the new judicial center is that the judge's chambers be on the same floor as their respective

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courtrooms with space behind for the jury and deliberation rooms. He stated this limits the design. He explained that if the B B & T Bank property is chosen, the size of the building to fit that would barely allow enough space to have the chambers on the same floor; it could not hold a building of that requested size. He said this would require another level, thereby inviting additional costs, plus there would be no "civic presence." He said that paying for the infrastructure would cost more than the needed office space. His recommendation was not to use the B B & T Bank property since it would only be "making it work."

The Hambley Boulevard property, Mr. Gregory reported, would fit but have severely limited accessibility for the public. The Riverfill property has plenty of space and the one on Pike Street would have sufficient space as well. He emphasized, however, that the river property, while having enough space, would result in a high cost for the foundation because it is on fill. He added that while there would be no danger of the building collapsing--the firm would see to that--the building would itself have to be elevated. He said this would allow a sallyport and some additional space underground but this would not allow for good circulation.

He stated the property on Pike Street is just enough larger from front to back to allow more movement without being crowded. He said another parcel behind the Pike Street property has been offered also and the additional cost to acquire the property would permit the design to push the building back and create a nice plaza. Neal Smith asked why not design as a rectangle and was answered that the building must not end up as a parking spot. Judge Coleman pointed out using the property across the street would add about forty parking spaces and not take any from anywhere. Mr. Gregory said also this would mean one floor could be four courtrooms. He also stressed only three stories are desired, not four, and added that an elevator is more acceptable anytime than another floor. Again, he recommended either the Pike Street property or the Riverfill property.

When Mr. Smith asked if the Board should try to focus on a particular property and then begin the appraisal process, Director Jeff Lilly answered yes. He stated with the research done so far by Sherman & Carter, it is preferred to narrow it down to three for purposes of cost and other properties could always be reconsidered at a later point. Judge Coleman added there are "multiple parcels of property" for consideration.

Mr. Deskins asked the status of the City of Pikeville's offer and City Manager Donovan Blackburn responded by reminding the Board that Judge/Executive Wayne T. Rutherford had earlier gone to the Pikeville City Commission and found the City's feasibility study showed a need for 400 - 600 more parking spaces. Funding was being sought for a parking garage to be constructed on the Riverfill property and provide a link from the By-pass to Pike Street. Moving the fire station and redoing the mouth of Chloe was also under consideration. He stated until the study is back, nothing definitive can be done.

He said the new Hampton Inn Hotel will open in October and additional parking is a necessity. He referred to an agreement with the City permitting the Hotel to use the

entire top floor of the current parking garage, which will help offset the fees and cost of maintenance. Setting forth a new proposition of the city property, Mr. Blackburn stated the Commission has asked that a parking garage become part of the purchase proposal for the new Judicial Center at a probable cost of \$1.9 million. He said he wanted to emphasize that parking is a very big issue. He said the City had an agreement when it sold the theater property to Abshire about parking and it is hoped this new Judicial Center would encompass the parking structure as well and in a trade for property let that money go into the parking structure along with funding out of Frankfort.

Mr. Blackburn stressed the City does want to keep the Judicial Center structure within the city limits of Pikeville. He added that the Renaissance Program also enters into this project. If the Board thinks the Riverfill is a prime location, then the parking garage must be considered as well. He said the Commission is 100% against giving up the property if there is no parking garage structure included in the plan. He suggested that Jack Sykes of Summit Engineering, Inc., could run an estimate including the parking garage with a minimum of 400 additional spaces.

Judge Coleman said he, Bobby Branham, Executive Assistant to Judge Rutherford, Mr. Blackburn and Steve Sherman conferred and Mr. Lilly also had been contacted about choosing an appraiser. Mr. Branham was asked if he had made any progress in finding one. He said no appraisers had so far contacted the Judge's office nor had Mr. Lilly heard anything. Mr. Smith asked if any information had come about Nunnery and Mr. Branham said he had heard nothing. Judge Coleman asked various board members if they had contacted any appraisers and the name of Greg Damron came up. Judge Coleman asked Mr. Lilly if it would be more feasible to hire someone from West Virginia or Charleston. Mr. Branham said Judy Walters did not want to do it. Mr. Lilly noted the building would not be paid for if the appraiser was not MAI certified.

Mr. Smith asked if condemnation procedures became necessary, would an MAI appraiser still be required and was told yes by Mr. Lilly. He said the dollar amounts must come from the MAI appraisals and added that this Board can only recommend condemnation procedure; it cannot file a condemnation action because that has to be done through the Fiscal Court. He stressed the Board cannot purchase the property if someone will not sell it. Judge Coleman asked Mr. Lilly to check on the appraisal person used for Johnson, Boyd and/or Magoffin properties.

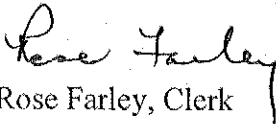
Mr. Lilly said someone should be chosen in order to initiate action since this will take a while to do, typically a month to forty-five days. Mr. Lilly clarified with Mr. Gregory that the properties are narrowed down to two locations and Mr. Gregory answered that the firm could not design a building until it knows where it is to be placed. He asked if the Pike Street property was to be expanded to include other properties and was told yes, the Weddington Theater property would be included. **Upon motion by David Deskins and second by Neal Smith, the Board unanimously APPROVES narrowing the properties under consideration for the new Judicial Center to include the Pike Street Property and the Riverfill Property.**

Further discussion promoted consideration of several more Pike Street properties. **Upon motion by Judge Darrell Mullins and second by David Deskins, the Board unanimously APPROVES having the appraisal done on the following properties when an MAI appraiser is selected: 1) Weddington Theater; 2) Larry Webster's Office; 3) Pinson Hotel; 4) Raccoon Auto Sales; 5) Alcie Combs' Property; 6) Buddy Johnson Property.**

Mr. Smith suggested holding a special meeting, stressing the Board could not approve an appraiser if it knew nothing about him. Mr. Lilly suggested giving authorization to Chair Rutherford to go ahead and hire an appraiser but the other Board members felt a special meeting would be better. **Upon motion by Judge Darrell Mullins and Donovan Blackburn, the Board unanimously APPROVES holding a special meeting on October 17, 2007, at 5:00 p.m., which will be duly advertised in a local newspaper.**

With no further business to come before the Board, Judge Coleman ADJOURNED the meeting.

Respectfully submitted,


Rose Farley, Clerk